



Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

**Matter of:** Southeast Arkansas Realty

**File:** B-243980

**Date:** August 30, 1991

Joseph P. Mazzanti, III, Haddock & Mazzanti, for the protester.  
Sharon Shireman, Department of Agriculture, for the agency.  
Robert Spiegel, Esq., and John Brosnan, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

### DIGEST

Protest challenging contract award for farm appraisal services as inconsistent with basis for award in request for quotations (RFQ) is denied where record indicates that agency evaluated both awardee's and protester's quotes in accordance with factors stated in RFQ.

### DECISION

Southeast Arkansas Realty protests the award of a contract to Bill Allen Auction & Realty, Inc. in connection with request for quotations (RFQ) No. 60-7A22-1-C0121, issued by the United States Department of Agriculture's Farmers Home Administration (FmHA), for the appraisal of properties in District Eight, Arkansas. Southeast contends that FmHA improperly rejected its lower-priced quote in favor of Bill Allen's higher-priced one.

The solicitation provided that in addition to their prices per appraisal, firms were to submit a brief written summary of their experience and qualifications including two reference letters. They were also requested to submit a copy of a recent FmHA appraisal report. The solicitation further provided that the firms would be evaluated and scored based on the following two factors:

- (1) Experience and qualifications - 60 points.
- (2) Appraisal - 40 points.

In addition, the solicitation stated that price would not be scored but would be an "important factor" and provided that although the agency may select other than the lowest-priced

technically acceptable firm, it would do so "only if" the other firm's "technical merit clearly justifies the additional cost."

The evaluation of the quotes received showed that Bill Allen, who offered a price of \$450. per farm appraisal received an experience and qualifications score of 50 and an appraisal score of 10 for a total of 60 points. Southeast, who offered a price of \$300., received a qualifications score of 25 and an appraisal score of 25 for a total of 50 points. The agency decided that Bill Allen's higher score justified the firm's higher price and selected it as the most qualified firm.

Southeast objects to the selection of Bill Allen because in the protester's view it is as qualified and as experienced as Bill Allen and therefore that firm's technical merit did not "clearly" justify selection of the higher-priced firm.

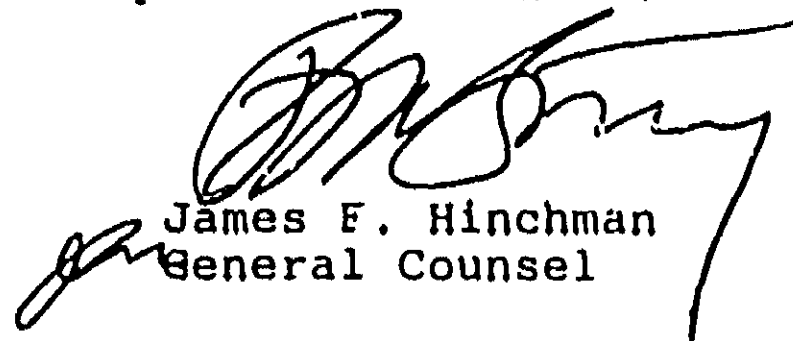
We review procurements such as this involving the use of an RFQ in order to insure that the agency does not solicit quotes on one basis and then make award on a materially different basis when other vendors would be prejudiced by such an award. See Ann Riley & Assocs., Ltd., B-241309.2, Feb. 8, 1991, 91-1 CPD ¶ 142. For the reasons stated below, we think the selection was consistent with the RFQ.

In support of its position that it should have been evaluated as equal to the awardee in experience and qualifications, the protester points out that it submitted eight recommendation letters with its quote while Bill Allen submitted only two. Southeast also notes that although it has the same number of professional certifications as does the awardee its certifications are older than the awardee's indicating the protester's greater experience.

The record shows that the agency concluded that Bill Allen had 10 years combined appraisal experience while the protester had only 3 years of such experience. We do not agree with the protester that the fact that its professional certifications may be a year or so older shows that its firm has more years of appraisal experience than does the awardee. In fact, the certifications were submitted to show that the firms were qualified to perform the appraisal not to show their experience, and there is nothing in the record which contradicts the agency's conclusion based upon the other materials submitted with the quotes that Bill Allen has several more years of relevant experience. Further, as far as the recommendation letters are concerned the RFQ specifically stated that the agency wanted each firm to submit two reference letters. We, therefore, see no reason why the agency was obligated to give the protester credit for the additional letters it chose to submit.

Based upon the record before us, it is our view that the agency did evaluate the quotes in accordance with the instructions and evaluation factors listed in the RFQ, and we have no legal basis upon which to question the agency's judgment in concluding that Bill Allen had more relevant experience than did the protester. Similarly we find that the agency acted in accordance with the terms of the RFQ when it determined that Bill Allen's higher score indicated that the technical merit demonstrated by the firm justified its higher price.

The protest is denied.



James F. Hinchman  
General Counsel